



(Ireland.)

A

# B I L L

To amend several Acts relating to Kingstown Harbour and the Port of Dublin.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

**W**HEREAS by an Act passed in the twenty-sixth year of the reign of King GEORGE the Third, intituled, "An Act for promoting the Trade of Dublin, by rendering its Port and Harbour more commodious," and by certain other Acts relative to the said Port and Harbour, the Corporation for preserving and improving the Port of Dublin are authorized to levy certain Rates and Duties upon all Ships and other Vessels coming into the said Harbour of Dublin, and on the Goods and Cargoes thereof: Preamble.

And whereas by an Act passed in the sixth and seventh years of the reign of his late Majesty King WILLIAM the Fourth, intituled, "An Act to amend the several Acts relating to the Harbour of Kingstown," it was enacted, that all the powers and privileges, save as therein excepted, of the said Corporation, relative to the collecting any such Rates and Duties on any Ships or other Vessels resorting to Kingstown Harbour, or the space of Five hundred Yards beyond the entrance thereof, should cease, and that the like powers and privileges should become vested in the Commissioners of Kingstown Harbour, who were thereby authorized to levy certain Rates and Duties by way of Tonnage upon all Ships and other Vessels resorting to said Harbour or said space beyond the entrance thereof:

And whereas doubts have arisen as to the right of the said Corporation since the passing of the said last-mentioned Act to levy Rates and Duties upon Ships or other Vessels proceeding from Kingstown Harbour to other parts of the Port of Dublin, upon which their proper Rates

Rates and Duties may have been already levied by the said Commissioners of Kingstown Harbour; and it is expedient to remove said doubts, and to make the Rates payable to the said Commissioners in all respects similar to those now or from time to time to be payable to the said Corporation;

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1.  
So much of  
the Acts as  
regulate  
Tonnage  
Rates re-  
pealed.

BE it therefore Enacted, by The QUEEN's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the Authority of the same, THAT from and after the passing of *this Act*, so much of the said Acts as regulate the amount of any Rates and Duties to be levied by way of Tonnage upon any Ships, Vessels or other Bottoms coming into the said Harbour of Kingstown, or within Five hundred Yards beyond the entrance thereof, be and the same is hereby Repealed.

2.  
And in lieu of  
such Rates  
and Duties,  
the Commis-  
sioners of  
Kingstown  
Harbour to  
collect the  
same Rates  
and Duties as  
the Corpora-  
tion for pre-  
serving and  
improving the  
Port of Dub-  
lin.

And be it Enacted, That in lieu of such Rates and Duties there shall be levied and collected by the said Commissioners of Kingstown Harbour, or by their officer duly authorized in that respect, upon each and every Ship, Vessel or other Bottom of which the whole of the Cargo shall be taken in or discharged in Kingstown Harbour, and in respect of every article, matter and thing landed on or loaded from the Wharfs of the said Harbour of Kingstown, such and the like Rates and Duties, sum and sums of money, pilotage and light duties excepted, as the said Corporation for preserving and improving the Port of Dublin are or may be by any Act or Acts now in force in Ireland entitled to levy and collect in other parts of the Port of Dublin, and upon each and every Ship, Vessel or other Bottom of which a part only of the Cargo shall be taken in or discharged in Kingstown Harbour, and the remainder in other parts of the Port of Dublin, and upon such articles, matters and things as aforesaid, so much of the said Rates and Duties, sum and sums as bear the same proportion to the whole of the said Rates and Duties that the part so taken in or discharged bears to the whole of said Cargo.

3.  
In case of part  
only of Cargo  
discharged or  
taken in at  
Kingstown,  
the said Cor-  
poration to  
charge only  
proportion-  
ably.

And be it Enacted, That in every case where a part only of the cargo of any ship, vessel or other bottoms shall be so taken in or discharged in Kingstown Harbour, and the remainder in other parts of the Port of Dublin, it shall (notwithstanding any law or custom to the contrary) be lawful for the said Corporation, or their officer duly authorized in this respect, to levy and collect upon any such ship, vessel or other bottoms only so much of Rates and Duties which they may be otherwise entitled to levy and collect as bears the same proportion to the whole of said Rates and Duties that the part of the cargo so taken in or discharged in other parts of the Port of Dublin bears to the whole of said cargo, and no more.

AND

AND for the more convenient collecting of said Rates and Duties, sum and sums of money, and with a view to the accommodation of the trade to the Port of Dublin and Kingstown Harbour; BE it Enacted, That the entire of the Rates and Duties so payable to the said Commissioners and Corporation respectively, shall in all cases when ships, vessels or other bottoms first begin to land or take in their cargoes at Kingstown Harbour, and shall afterwards discharge or take in the remainder of their cargo at Dublin, be paid to the proper officer of the Commissioners of said Harbour; and the proportion thereof to which the said Corporation shall be entitled under the provisions hereinbefore contained shall be duly accounted for and paid over by the said Commissioners to the said Corporation; and so likewise in all cases where ships, vessels or other bottoms first commence landing or taking in their cargo at the wharfs or quays of Dublin, and shall afterwards discharge or take in the remainder of the cargo at Kingstown, the entire of the Rates and Duties payable by or in respect of such ship, vessel or other bottom shall be paid to the proper officer of the said Corporation; and the proportion thereof to which the said Commissioners shall be entitled under the provisions hereinbefore contained shall be duly accounted for and paid over by said Corporation to the said Commissioners.

4.  
The entire of the Rates and Duties to be paid where Vessel first begins to take in or discharge.

And be it Enacted, That every ship, vessel or other bottom of which the whole of the cargo shall be taken in or discharged in Kingstown Harbour, and on which the Rates and Duties shall have been paid, shall at the end of the same trip or voyage be freed and discharged from the like Rates and Duties in any other part of the Port of Dublin, and that every ship, vessel or other bottom of which the whole of the cargo shall be taken in or discharged in other parts of the Port of Dublin shall in like manner be freed and discharged at the end of the same trip or voyage from the like Rates and Duties in Kingstown Harbour.

5.  
Every Ship or other Vessel of which the whole Cargo shall be taken in or discharged at Kingstown or in any other part of the Port of Dublin shall be freed and discharged.

And be it Enacted, That whenever it shall be necessary to lighten any ship, vessel or other bottom, in order the more easily to proceed to other parts of the Port of Dublin, by discharging a part of the cargo into any other ship, vessel or other bottom afloat in Kingstown Harbour, it shall not be lawful for the said Commissioners to levy and collect said Rates and Duties on any such ship, vessel or other bottom, unless the said cargo or any part thereof shall be afterwards landed at the said Harbour.

6.  
No Rates to be paid on a Vessel being lightened of part of her Cargo.

Provided always, and be it Enacted, That nothing in this Act contained relative to the levying of such Rates and Duties as aforesaid, shall extend or be construed to extend to any Ships or Vessels belonging to Her Majesty, Her heirs or successors, nor to any yacht, light ship,

7.  
Nothing in this Act to extend to Her Majesty's Ships.

ship, tender or pilot-boat belonging to and while in the employment of the said Corporation for preserving and improving the Port of Dublin.

8.  
Masters or  
Commanders  
of Vessels  
evading  
payment of  
Duties to for-  
feit treble the  
amount.

And be it Enacted, That if any Master, Commander or other person having charge of any ship or other vessel, or any owner or consignee, or any other person owning or having charge of any goods, wares, merchandize imported into or exported or intended to be exported from said Kingstown Harbour, shall by short entries or by any other means whatsoever at any time or times evade or attempt to evade the payment, either in the whole or in any part, of any of the Rates or Duties made payable by this or by any former Act now in force, having relation to the said Harbour, each and every person so evading or attempting to evade payment whereof as aforesaid shall stand charged with and forfeit and pay a sum equal to *Treble* the amount of the Rates or Duties so evaded or attempted to be evaded; and such sum shall be recovered from such master, owner, consignee or other person or persons respectively, in such manner as by the said Act passed in the sixth and seventh years of the reign of King WILLIAM the Fourth directed for levying and recovering penalties and forfeitures.

9.  
No Vessel to  
sail from the  
Harbour  
without a  
Clearance,  
under penalty  
of 20 l., to be  
recovered as  
herein.

And be it Enacted, That from and after the *passing of this Act*, no ship or other vessel which shall arrive in the said Harbour shall sail therefrom without paying to the said Commissioners of the said Harbour, or to their officer, who shall be appointed by the said Commissioners to receive the same, the full amount of all such tonnage-rates, ballast-rates, quayage-rates, and all such other rates, duties, penalties, and sums of money as shall be payable in respect to such ship or vessel, or the cargo thereof, or the owner, master or commander thereof, and without having obtained a Discharge or Clearance from the said Commissioners or from the persons having authority under this Act to give the same; and that if any ship or other vessel shall sail without having paid such rates, duties, penalties and sums of money as aforesaid, the master or commander thereof shall forfeit to the said Commissioners the sum of *Twenty Pounds*, and shall he also personally subject and liable to the payment of the full amount of all such Rates and Duties as shall be then so due and payable; and that it shall and may be lawful to and for the said Commissioners, at any time after such ship or other vessel shall have so sailed, to recover the amount of the said Rates, Duties, Penalties and sums of money by an Action at Law against such master or commander in any of Her Majesty's Courts of Record in this kingdom, or by Civil Bill, at the option of the said Commissioners, and to arrest and implead such master or commander, and to hold him to special bail in such action; the Chief Collector of the said Harbour or the Secretary of the said Commissioners first ascertaining the amount of such Rates, Duties and Penalties and

and sums of money as shall be so due and payable, by affidavit before a Judge of or any officer or person authorized to take affidavits in the Court in which such action shall be intended to be brought, or before a Magistrate or person authorized to take affidavits in such behalf.

5 And further, That such ship or vessel so sailing shall be liable to and charged and chargeable as well with the said forfeiture of *Twenty Pounds* as with all such Rates, Duties, Penalties and sums of money as shall be so due and payable as aforesaid, and such reasonable expenses as shall be necessarily incurred by the said Commissioners or their  
10 officers in consequence of such ships so sailing; and it shall and may be lawful for the said Commissioners by warrants under their hands or the hands of any Two of them, to be directed to such person or persons as they shall think fit for that purpose, at any time after the said ship or other vessel shall have so sailed, to seize and distrain such ship or  
15 other vessel if found within any port, harbour or creek within the United Kingdom, and all her sails, masts, rigging, tackle and furniture, for the payment of the said forfeiture, and of all such arrears of the said Rates, Duties, Penalties and sums of money as shall be then payable upon or in respect of such ship or other vessel by such master  
20 or commander, and whether such ship or other vessel shall at the time of such seizure be commanded by or be in charge of the same master or commander who commanded or had the charge of the same at the time the said ship or vessel so sailed or not; and that in case the said Penalty, and all such arrears as aforesaid of the said Rates and Duties,  
25 and also said expenses, shall not be paid to the said Commissioners or their proper officer within Seven Days after such seizure, it shall and may be lawful to and for the said Commissioners, or the person or persons to whom such Warrant shall have been directed as aforesaid, to sell and dispose of the said ship or other vessel, and all her sails,  
30 masts, rigging, tackle and furniture, or so much thereof as shall be sufficient for payment of the said penalty of *Twenty Pounds*, and all such arrears of the said Rates, Duties, Penalties and sums of money as shall be so due and payable as aforesaid, and said expenses; and that it shall be at the discretion of the said Commissioners either to enforce pay-  
35 ment of the said penalty of *Twenty Pounds*, Rates, Duties, Penalties and sums of money from the said master or commander aforesaid, or by seizing or distraining such ship or other vessel, and the sails, masts, rigging, tackle and furniture thereof as aforesaid.

Vessel chargeable with Penalty and Duties may be seized in any port of the United Kingdom.

And be it Enacted, That from and after the *passing of this Act*, it  
40 shall be lawful for the Officer or Officers to be from time to time for that purpose appointed by the said Commissioners of Kingstown Harbour, on payment of all rates and duties payable in respect of such ship or vessel to the said Commissioners, to grant a certificate of such payment, upon the production of which the Collector or other proper officer of Customs of the Port of Dublin, being  
301. authorized

10. Officer of Customs to grant a certificate on payment of Duties, on production of which the Collector of Customs at Dublin to give a Clearance.

authorized and required to clear out or discharge any ship or other vessels of which a part of the cargo shall be discharged or taken in at Kingstown Harbour, and upon which the said Rates and Duties shall have been duly paid to the person or persons authorized by the said Commissioners to collect and receive the same; and that such clearance and discharge shall have the same effect in law in all parts of the said Port of Dublin, as far as relates to any liability of the said Rates and Duties, as if the same had been granted by the said Corporation for preserving and improving the Port of Dublin, or by their proper officer appointed for that purpose.

11.  
Commissioners may make and vary Rules and Regulations.

And be it Enacted, That for and notwithstanding any thing in the said recited Act passed in the sixth and seventh years of the reign of King WILLIAM the Fourth to the contrary contained, it shall and may be lawful for the said Commissioners of Kingstown Harbour, from time to time, to make, alter or vary any rules, bye-laws and regulations, according as to them may seem fit and expedient, not being contrary to the provisions of any statute or law in force in Ireland for regulating and preserving the moorings in and belonging to the said Harbour, and for regulating the mooring and unmooring of ships or other vessels coming into or going out of the said Harbour, or the space of *Five hundred Yards* beyond the entrance thereof, and fixing the proper stations therein to be occupied by the several ships, vessels, lighters, barges, boats or other craft being in the same, and for regulating the licensing, in said Act passed in the sixth and seventh years of the reign of King WILLIAM the Fourth mentioned, of all boats, wherries and other craft plying in the said Harbour, and of all the parties or other persons employed in and about the said Harbour, and fixing the limits within which boats, wherries and other craft so licensed shall ply, and for regulating the conduct and direction of the masters and commanders or other person or persons in charge of any ship or other vessel coming into and remaining in or going out of the said Harbour, and also for regulating the conduct and direction of the owner or proprietor or other person or persons in charge or management of any boats, wherries or other craft plying in or which shall arrive at or enter the said Harbour, and also for regulating the conduct and direction of all persons who shall frequent the piers, wharf and quays of the said Harbour with coaches, cars, carriages, carts, drays or other vehicles and ply the same for hire, and of all persons who shall have been or may hereafter be licensed to act as porters or in any other like capacity in and about the said Harbour or the said wharf, piers and quays, and for fixing and regulating the rates or prices, sum or sums of money which it shall and may be lawful for such owners or proprietors or other person in the care and management of such boats, wherries or other craft, or for such porters or other persons aforesaid licensed under the said Act passed in the sixth and seventh years of the

the reign of King WILLIAM the Fourth, to demand and receive from the person or persons who shall employ them according to their several and respective occupations, and also for the regulating of any other matter, thing or purpose connected with the said Harbour, or upon the wharfs, quays or piers belonging to the same.

And be it Enacted, That it shall be lawful for the said Commissioners of Kingstown Harbour and they are hereby authorized to fix and specify in the said Rules and Regulations such Penalties to be inflicted on any person or persons offending against the same as to them shall seem expedient, and not already fixed by any of the provisions of the said Act passed in the sixth and seventh years of the reign of King WILLIAM the Fourth; the same to be recovered in like manner as penalties and forfeitures generally under the said Act are directed to be recovered: Provided always, That no such Penalty or Fine, except it is otherwise specially provided by the said Act, exceed the sum of *Forty Shillings* for each offence.

12.  
To effect  
Penalties in  
respect of  
offences  
against such  
Rules and  
Regulations.

And be it Enacted, That all and every the powers and provisions in the said Act passed in the sixth and seventh years of the reign of King WILLIAM the Fourth contained, for or in respect of the collection of the Rates and Duties thereby imposed, and for distraining and selling for same, and the accounting of monies by the officers of the said Commissioners, shall and may be used for the purposes of this Act.

13.  
The provisions  
of 6 & 7  
WILL. 4. may  
be used for  
the purposes  
of this Act.

And be it Enacted, That all and every the sum and sums of money imposed or made payable by this Act or any other Act now in force in Ireland relative to the said Harbour, shall be applied by the said Commissioners to and for the purposes in the said Act passed in the sixth and seventh years of the reign of King WILLIAM the Fourth directed: Provided always, That nothing herein contained shall prejudice or affect the right or power now vested in the said Commissioners to supply ballast to ships and other vessels in said Harbour under and by virtue of the said Act passed in the sixth and seventh years of the reign of King WILLIAM the Fourth.

14.  
Application  
of Monies  
made payable  
by this Act.

AND whereas the Duties heretofore performed by Commissioners appointed by the Lord Lieutenant or the Lords Commissioners of Her Majesty's Treasury have lately been transferred from such Commissioners to the Commissioners for the Extension and Promotion of Public Works in Ireland; and it is expedient to provide that all such Duties, though heretofore requiring Three or more of such Commissioners, should, when transferred to the said Commissioners for the Extension and Promotion of Public Works, be performed by any Two of the said Commissioners last mentioned; BE it therefore Enacted, That all and every the powers and authorities in and by this Act or

15.

Powers of this  
Act may be  
exercised by  
any Two Com-  
missioners.

by an Act passed in the fifty-sixth year of the reign of King GEORGE the Third, relative to the said Harbour, or by the said Act passed in the sixth and seventh years of the reign of King WILLIAM the Fourth, or any of them, given to the said Commissioners, shall and may be exercised and performed by any Two of them, any thing in any Act now in force requiring a greater number of Commissioners or other persons for such duty or service notwithstanding.

16. AND whereas under several Acts in force immediately before the passing of this Act, the building, repair and preservation of the Quay Walls of the River Anna Liffey, was entrusted to the said Corporation for preserving and improving the Port of Dublin, and in consideration thereof certain Quayage and Tonnage Duties were granted to the said Corporation, and in addition thereunto a certain assessment or frontage rate upon all the grounds, houses and buildings adjoining and fronting any of the Quays of the said River Liffey: AND whereas the sum expended in building the said walls has been long since repaid to the said Corporation, by receipt of the amount of such Duties and Rate, and the annual amount of such Duties, over and above all necessary disbursements in collecting the same, is far more than sufficient to keep the said walls in good repair and preservation, without continuing to levy the said frontage rate, which is onerous to the inhabitants of houses and buildings fronting the said Quays; BE it therefore Enacted, That from and after the
- the said Corporation shall not raise or levy any Assessment or Frontage Rate upon the owners or occupiers of houses or buildings or grounds upon any of the Quays of the said River, and all such Rates or Assessments shall thenceforward cease and determine: Provided always, That nothing herein contained shall alter or abridge the duty and liability of such Corporation to keep in good repair and preservation the said Quay Walls; and they are hereby empowered to apply the receipts from all Quayage or Ballast Duties to such purposes: Provided also, That nothing herein contained shall alter or abridge the power vested in the Grand Juries of the County and the County of the City of Dublin to make Presentments for the purposes and in the manner provided in an Act passed in the forty-third year of the reign of his late Majesty King GEORGE the Third, intituled, "An Act for amending and rendering more effectual an Act passed in the Parliament of Ireland, in the fortieth year of his present Majesty, for promoting the Trade of Dublin, by rendering its Port and Harbour more commodious, and for repairing and preserving the Walls of the River Anna Liffey in the City of Dublin; and also for empowering the Corporation for preserving and improving the Port of Dublin, to build and repair Bridges over the said River within certain Limits," in so far as the same relates to the building or repair of the Walls and Bridges therein specified: Provided, That such Presentments shall have been previously approved of by the Presentment Sessions for such Counties respectively.

Quay Wall  
Tax abo-  
lished.

Ballast Cor-  
poration to  
repair, &c.  
Quays, Walls,  
&c.

Grand Juries  
of County and  
County of  
City of Dub-  
lin empow-  
ered to present  
as heretofore  
to Ballast  
Board.

40 Geo. 3,  
( ) excise.

And

And be it further Enacted, That this Act shall be deemed and taken to be a Public Act; and shall be judicially taken notice of as such by all Judges, Justices and others without being specially pleaded.

17.  
This Act to  
be deemed a  
Public Act.

And be it Enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

18.  
Act may be  
altered.



(Ireland.)

A

## B I L L

To make further Provisions, and to amend the  
Acts relating to the Harbour of Kingstown  
and the Port and Harbour of Dublin.

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[Note.—The Words printed in *Italics* are proposed to be inserted  
in the Committee.]

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**W**H<sup>EREAS</sup> by an Act passed in the twenty-sixth year of the Preamble.  
reign of King GEORGE the Third, intituled, “An Act for  
promoting the Trade of Dublin, by rendering its Port and Harbour  
more commodious,” and by certain other Acts relative to the said Port  
and Harbour, the Corporation for preserving and improving the Port of  
Dublin are authorized to levy certain Rates and Duties upon all Ships  
and other Vessels coming into the said Harbour of Dublin, and on  
the Goods and Cargoes thereof:

And whereas by an Act passed in the sixth and seventh years of  
the reign of his late Majesty King WILLIAM the Fourth, intituled, “An  
Act to amend the several Acts relating to the Harbour of Kingstown,”  
it was enacted, that all the powers and privileges, save as therein  
excepted, of the said Corporation, relative to the collecting any such  
Rates and Duties on any Ships or other Vessels resorting to Kingstown  
Harbour, or the space of Five hundred Yards beyond the entrance  
thereof, should cease, and that the like powers and privileges should  
become vested in the Commissioners of Kingstown Harbour, who were  
thereby authorized to levy certain Rates and Duties by way of Tonnage  
upon all Ships and other Vessels resorting to the said Harbour or space  
beyond the entrance thereof:

And whereas doubts have arisen as to the right of the said Corpora-  
tion since the passing of the said last-mentioned Act to levy Rates and  
Duties upon Ships or other Vessels proceeding from Kingstown Har-  
bour to other parts of the Port of Dublin, upon which their proper  
Rates

Rates and Duties may have been already levied by the said Commissioners of Kingstown Harbour; and it is expedient to remove the said doubts, and to make the Rates payable to the said Commissioners in all respects similar to those now or from time to time to be payable to the said Corporation;

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1.  
So much of  
the Acts as  
regulate  
Tonnage  
Rates re-  
pealed.

**BE it therefore Enacted**, by The QUEEN's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the Authority of the same, THAT from and after the passing of *this Act*, so much of the said Acts as regulate the amount of any Rates and Duties to be levied by way of Tonnage upon any Ships, Vessels or other Bottoms coming into the said Harbour of Kingstown, or within Five hundred Yards beyond the entrance thereof, shall be Repealed. 10

2.  
And in lieu of  
such Rates  
and Duties,  
the Commis-  
sioners of  
Kingstown  
Harbour to  
collect the  
same Rates  
and Duties as  
the Corpora-  
tion for pre-  
serving and  
improving the  
Port of Dub-  
lin.

And be it Enacted, That in lieu of such Rates and Duties there shall be levied and collected by the said Commissioners of Kingstown Harbour, or by their officer duly authorized in that respect, upon each and every Ship, Vessel or other Bottom of which the whole of the Cargo shall be taken in or discharged in Kingstown Harbour, and in respect of every article, matter and thing landed on or loaded from the Wharfs of the said Harbour of Kingstown, such and the like Rates and Duties, sum and sums of money, pilotage and light duties excepted, as the said Corporation for preserving and improving the Port of Dublin are or may be by any Act or Acts now in force in Ireland entitled to levy and collect in other parts of the Port of Dublin, and upon each and every Ship, Vessel or other Bottom of which a part only of the Cargo shall be taken in or discharged in Kingstown Harbour, and the remainder in other parts of the Port of Dublin, and upon such articles, matters and things as aforesaid, so much of the said Rates and Duties, sum and sums as bear the same proportion to the whole of the said Rates and Duties that the part so taken in or discharged bears to the whole of the said Cargo. 15 20 25 30

3.  
In case of part  
only of Cargo  
discharged or  
taken in at  
Kingstown,  
the said Corpora-  
tion to  
charge only  
proportion-  
ably.

And be it Enacted, That in every case where a part only of the cargo of any ship, vessel or other bottoms shall be so taken in or discharged in Kingstown Harbour, and the remainder in other parts of the Port of Dublin, it shall (notwithstanding any law or custom to the contrary) be lawful for the said Corporation, or their officer duly authorized in this respect, to levy and collect upon any such ship, vessel or other bottoms only so much of the Rates and Duties which they may be otherwise entitled to levy and collect as bears the same proportion to the whole of the said Rates and Duties that the part of the cargo so taken in or discharged in other parts of the Port of Dublin bears to the whole of the said cargo, and no more. 35 40

AND

AND for the more convenient collecting of the said Rates and Duties, sum and sums of money, and with a view to the accommodation of the trade to the Port of Dublin and Kingstown Harbour; BE it Enacted, That the entire of the Rates and Duties so payable to the said Commissioners and Corporation respectively, shall in all cases when ships, vessels or other bottoms first begin to land or take in their cargoes at Kingstown Harbour, and shall afterwards discharge or take in the remainder of their cargo at Dublin, be paid to the proper officer of the Commissioners of the said Harbour; and the proportion thereof to which the said Corporation shall be entitled under the provisions hereinbefore contained shall be duly accounted for and paid over by the said Commissioners to the said Corporation; and so likewise in all cases where ships, vessels or other bottoms first commence landing or taking in their cargo at the wharfs or quays of Dublin, and shall afterwards discharge or take in the remainder of the cargo at Kingstown, the entire of the Rates and Duties payable by or in respect of such ship, vessel or other bottom shall be paid to the proper officer of the said Corporation; and the proportion thereof to which the said Commissioners shall be entitled under the provisions hereinbefore contained shall be duly accounted for and paid over by the said Corporation to the said Commissioners.

4.  
The entire of the Rates and Duties to be paid where Vessel first begins to take in or discharge.

And be it Enacted, That every ship, vessel or other bottom of which the whole of the cargo shall be taken in or discharged in Kingstown Harbour, and on which the Rates and Duties shall have been paid, shall at the end of the same trip or voyage be freed and discharged from the like Rates and Duties in any other part of the Port of Dublin, and every ship, vessel or other bottom of which the whole of the cargo shall be taken in or discharged in other parts of the Port of Dublin shall in like manner be freed and discharged at the end of the same trip or voyage from the like Rates and Duties in Kingstown Harbour.

5.  
Every Ship or other Vessel of which the whole Cargo shall be taken in or discharged at Kingstown or in any other part of the Port of Dublin shall be freed and discharged.

And be it Enacted, That whenever it shall be necessary to lighten any ship, vessel or other bottom, in order the more easily to proceed to other parts of the Port of Dublin, by discharging a part of the cargo into any other ship, vessel or other bottom afloat in Kingstown Harbour, it shall not be lawful for the said Commissioners to levy and collect the said Rates and Duties on any such ship, vessel or other bottom, unless the said cargo or any part thereof shall be afterwards landed at the said Harbour.

6.  
No Rates to be paid on a Vessel being lightened of part of her Cargo.

Provided always, and be it Enacted, That nothing in this Act contained relative to the levying of such Rates and Duties as aforesaid, shall extend or be construed to extend to any Ships or Vessels belonging to Her Majesty, Her heirs or successors, nor to any yacht, light ship,

7.  
Nothing in this Act to extend to Her Majesty's Ships.

ship, tender or pilot-boat belonging to and while in the employment of the said Corporation for preserving and improving the Port of Dublin.

8.  
Master or  
Commander  
of Vessel  
evading  
payment of  
Duties to for-  
feit treble the  
amount.

And be it Enacted, That if any Master, Commander or other person having charge of any ship or other vessel, or any owner or consignee, or any other person owning or having charge of any goods, wares, merchandize imported into or exported or intended to be exported from the said Kingstown Harbour, shall by short entries or by any other means whatsoever at any time or times evade or attempt to evade the payment, either in the whole or in any part, of any of the Rates or Duties made payable by this or by any former Act, having relation to the said Harbour, each and every person so evading or attempting to evade payment hereof as aforesaid shall stand charged with and forfeit and pay a sum equal to Treble the amount of the Rates or Duties so evaded or attempted to be evaded; and such sum shall be recovered from such master, owner, consignee or other person or persons respectively, in such manner as by the said Act passed in the sixth and seventh years of the reign of King WILLIAM the Fourth is directed for levying and recovering penalties and forfeitures.

9.  
No Vessel to  
sail from the  
Harbour  
without a  
Clearance,  
under penalty  
of 50 £, to be  
recovered as  
herein.

And be it Enacted, That no ship or other vessel which shall arrive in the said Harbour shall sail therefrom without paying to the said Commissioners of the said Harbour, or to their officer, who shall be appointed by the said Commissioners to receive the same, the full amount of all such tonnage-rates, hullast-rates, quayage-rates, and all such other rates, duties, penalties, and sums of money as shall be payable in respect of such ship or vessel, or the cargo thereof, or the owner, master or commander thereof, and without having obtained a Discharge or Clearance from the said Commissioners or from the persons having authority under this Act to give the same; and if any ship or other vessel shall sail without having paid such rates, duties, penalties and sums of money as aforesaid, the master or commander thereof shall forfeit to the said Commissioners the sum of Twenty Pounds, and shall be also personally subject and liable to the payment of the full amount of all such Rates and Duties as shall be then so due and payable; and it shall and may be lawful to and for the said Commissioners, at any time after such ship or other vessel shall have so sailed, to recover the amount of the said Rates, Duties, Penalties and sums of money by an Action at Law against such master or commander in any of Her Majesty's Courts of Record in this kingdom, or by Civil Bill, at the option of the said Commissioners, and to arrest and imprison such master or commander, and to hold him to special bail in such action; the Chief Collector of the said Harbour or the Secretary of the said Commissioners first ascertaining the amount of such Rates, Duties and Penalties and

and sums of money as shall be so due and payable, by affidavit before a Judge of or any officer or person authorized to take affidavits in the Court in which such action shall be intended to be brought, or before a Magistrate or person authorized to take affidavits in such behalf.

And That such ship or vessel so sailing shall be liable to and charged and chargeable as well with the said forfeiture of *Twenty Pounds* as with all such Rates, Duties, Penalties and sums of money as shall be so due and payable as aforesaid, and such reasonable expenses as shall be necessarily incurred by the said Commissioners or their officers in consequence of such ships so sailing; and it shall and may be lawful for the said Commissioners by warrants under their hands or the hands of any Two of them, to be directed to such person or persons as they shall think fit for that purpose, at any time after the said ship or other vessel shall have so sailed, to seize and distrain such ship or other vessel if found within any port, harbour or creek within the United Kingdom, and all her sails, masts, rigging, tackle and furniture, for the payment of the said forfeiture, and of all such arrears of the said Rates, Duties, Penalties and sums of money as shall be then payable upon or in respect of such ship or other vessel by such master or commander, and whether such ship or other vessel shall at the time of such seizure be commanded by or be in charge of the same master or commander who commanded or had the charge of the same at the time the said ship or vessel so sailed, or not; and in case the said Penalty, and all such arrears as aforesaid of the said Rates and Duties, and also the said expenses, shall not be paid to the said Commissioners their proper officer within Seven Days after such seizure, it shall and may be lawful to and for the said Commissioners, or the person or persons to whom such Warrant shall have been directed as aforesaid, to sell and dispose of the said ship or other vessel, and all her sails, masts, rigging, tackle and furniture, or so much thereof as shall be sufficient for payment of the said penalty of *Twenty Pounds*, and all such arrears of the said Rates, Duties, Penalties and sums of money as shall be so due and payable as aforesaid, and the said expenses; and it shall be at the discretion of the said Commissioners either to enforce payment of the said penalty of *Twenty Pounds*, Rates, Duties, Penalties and sums of money from the said master or commander aforesaid, or by seizing or distraining such ship or other vessel, and the sails, masts, rigging, tackle and furniture thereof as aforesaid.

And he it Enacted, That it shall be lawful for the Officer or Officers to be from time to time for that purpose appointed by the said Commissioners of Kingstown Harbour, on payment of all rates and duties payable in respect of such ship or vessel to the said Commissioners, to grant a certificate of such payment, upon the production of which the Collector or other proper officer of Customs of the Port of Dublin, shall be authorized to clear out or discharge any ship or other

Vessel chargeable with Penalty and Duties may be seized in any part of the United Kingdom.

10. Officer of Commissioners to grant a certificate on payment of Duties, on production of which the Collector of Customs at Dublin may give a Clearance.

vessel of which a part of the cargo shall be discharged or taken in at Kingstown Harbour, and upon which the said Rates and Duties shall have been duly paid to the person or persons authorized by the said Commissioners to collect and receive the same; and such clearance and discharge shall have the same effect in law in all parts of the said Port of Dublin, as far as relates to any liability of the said Rates and Duties, as if the same had been granted by the said Corporation for preserving and improving the Port of Dublin, or by their proper officer appointed for that purpose.

11.  
Commissi-  
sioners may  
make and  
vary Rules  
and Regula-  
tions.

And be it Enacted, That notwithstanding any thing in the said recited Act passed in the sixth and seventh years of the reign of King WILLIAM the Fourth to the contrary, it shall and may be lawful for the said Commissioners of Kingstown Harbour, from time to time, to make, alter or vary any rules, bye-laws and regulations, according as to them may seem fit and expedient, not being contrary to the provisions of any statute or law in force in Ireland, for regulating and preserving the moorings in and belonging to the said Harbour, and for regulating the mooring and unmooring of ships or other vessels coming into or going out of the said Harbour, or the space of *Five Hundred Yards* beyond the entrance thereof, and fixing the proper stations therein to be occupied by the several ships, vessels, lighters, barges, boats or other craft being in the same, and for regulating the licensing, in the said Act passed in the sixth and seventh years of the reign of King WILLIAM the Fourth mentioned, of all boats, wherries and other craft plying in the said Harbour, and of all the parties or other persons employed in and about the said Harbour, and fixing the limits within which boats, wherries and other craft so licensed shall ply, and for regulating the conduct and direction of the masters and commanders or other person or persons in charge of any ship or other vessel coming into and remaining in or going out of the said Harbour, and also for regulating the conduct and direction of the owner or proprietor or other person or persons in charge or management of any boats, wherries or other craft plying in or which shall arrive at or enter the said Harbour, and also for regulating the conduct and direction of all persons who shall frequent the piers, wharf and quays of the said Harbour with coaches, cars, carriages, carts, drays or other vehicles and ply the same for hire, and of all persons who shall have been or may hereafter be licensed to act as porters or in any other like capacity in and about the said Harbour or the said wharf, piers and quays, and for fixing and regulating the rates or prices, sum or sums of money which it shall be lawful for such owners or proprietors or other person in the care and management of such boats, wherries or other craft, or for such porters or other persons aforesaid licensed under the said Act passed in the sixth and seventh years of the

the reign of King WILLIAM the Fourth, to demand and receive from the person or persons who shall employ them according to their several and respective occupations, and also for the regulating of any other matter, thing or purpose connected with the said Harbour, or upon the wharfs, quays or piers belonging to the same.

And be it Enacted, That it shall be lawful for the said Commissioners of Kingstown Harbour and they are hereby authorized to fix and specify in the said Rules and Regulations such Penalties to be inflicted on any person or persons offending against the same as to them shall seem expedient, and not already fixed by any of the provisions of the said Act passed in the sixth and seventh years of the reign of King WILLIAM the Fourth; the same to be recovered in the like manner as penalties and forfeitures generally under the said Act are directed to be recovered: Provided always, That no such Penalty or Fine, except it is otherwise specially provided by the said Act, shall exceed the sum of *Forty Shillings* for each offence.

And be it Enacted, That the powers and provisions contained in the said Act passed in the sixth and seventh years of the reign of King WILLIAM the Fourth, for or in respect of the collection of the Rates and Duties thereby imposed, and for distraining and selling for same, and the accounting for monies by the officers of the said Commissioners, shall and may be used for the purposes of this Act.

And be it Enacted, That the sum and sums of money imposed or made payable by this Act or any other Act relative to the said Harbour, shall be applied by the said Commissioners to and for the purposes directed in the said Act passed in the sixth and seventh years of the reign of King WILLIAM the Fourth: Provided always, That nothing herein contained shall prejudice or affect the right or power now vested in the said Commissioners to supply ballast to ships and other vessels in the said Harbour under and by virtue of the said Act passed in the sixth and seventh years of the reign of King WILLIAM the Fourth.

AND whereas the Duties heretofore performed by Commissioners appointed by the Lord Lieutenant or the Lords Commissioners of Her Majesty's Treasury have lately been transferred from such Commissioners to the Commissioners for the Extension and Promotion of Public Works in Ireland; and it is expedient to provide that all such Duties relative to the said Harbour, though heretofore requiring Three or more of such Commissioners, should, when transferred to the said Commissioners for the Extension and Promotion of Public Works, be performed by any Two of the said Commissioners last mentioned; BE it therefore Enacted, That the powers and authorities in and by this Act or by an Act passed in the fifty-sixth year of the reign of King GEORGE the Third, relative to the said Harbour, or

12.  
To alter Penalties in respect of offences against such Rules and Regulations.

13.  
The provisions of G & 7 Will. 4. may be used for the purposes of this Act.

14.  
Application of Monies made payable by this Act.

15.  
Powers of Kingstown Harbour Acts may be exercised by any Two Commissioners.

by the said Act passed in the sixth and seventh years of the reign of King WILLIAM the Fourth, or any of them, given to the said Commissioners, shall and may, so far as relates to the said Harbour, be exercised and performed by any Two of them, any thing in any Act now in force requiring a greater number of Commissioners or other persons for such duty or service notwithstanding. 5

16.  
Quay Wall  
Tax repealed  
in a certain  
district.

AND whereas, under several Acts, the building, repair and preservation of the Quay Walls of the River ANON Liffey, was entrusted to the said Corporation for preserving and improving the Port of Dublin, and in consideration thereof, a certain assessment or frontage rate was imposed upon grounds, houses and buildings adjoining and fronting any of the Quays of the said River: AND whereas the Quay Walls westward of the Bridge called Curlicue Bridge, and extending to the Bridge called Barrack Bridge, have been built, and are now in good order and repair, and will not require for the maintaining or repairing of the same, a sum equal to the full amount of the Duty or Rate heretofore leviable upon the inhabitants of that part of the said Quays; BE it therefore Enacted, That from and after the *First day of July, One thousand eight hundred and Thirty-eight*, the said Rate or Duty so as aforesaid payable to or leviable by the said Corporation within the limits aforesaid, and all arrears thereof, shall cease and determine, and shall not be any longer leviable by the said Corporation. 10 15 20

17.  
Expense of  
future repairs  
of quay walls  
to be defrayed  
by assessments.

Provided always, and be it Enacted, That whenever the said Corporation shall, on the first sitting day of any Easter or Michaelmas term, cause to be laid before the Court of Queen's Bench, signed with the proper names and hand-writing of any *Three* Members of the said Corporation, and sealed with their corporate seal, an estimate of the probable expense of executing or making any repairs which shall at any time or times be wanting on or by the said Quay Walls within the limits aforesaid, verified by the affidavit of *Two* skillful persons, or by the affidavit of the Ballast Munster for the time being of the said Corporation, the said Court of Queen's Bench shall in each and every such case charge the Grand Jury of the County of the City of Dublin and the Grand Jury of the County of Dublin to meet in one room at a certain time, to be named by the said Court; and it shall then be lawful to and for the said Grand Jurors, when so assembled, or any *Twenty-four* Members thereof, and they are hereby required to present the whole amount of the estimate so laid before them, to be raised and levied by one instalment, or by equal half-yearly instalments, at every Easter and Michaelmas Terms, on and out of all houses and other buildings erected or to be erected within the district of the metropolis, and to be paid by all and every the owners or occupiers thereof; and for the raising of such sum, or the said instalments as the case may be, to present a certain rate of assessment which shall 30 35 40

shall be agreed on by the said Grand Juries, or any *Twenty-four*  
 Members thereof, of a certain sum in the pound to be levied on the  
 value of all such houses or other buildings according to the valuation  
 by which they are now or hereafter may be valued or rated for or  
 5 towards the maintenance of the Police Establishment of the said  
 district; and it is hereby Enacted, That it shall be lawful for the said  
 Grand Juries, or any *Twenty-four* Members thereof, to make such  
 presentment as aforesaid, whether they shall have been previously  
 approved of by the Presentment Sessions for such counties respectively  
 10 or not.

And be it Enacted, That this Act shall be deemed and taken to be  
 a Public Act; and shall be judicially taken notice of as such by all  
 Judges, Justices and others.

18.  
 This Act to  
 be deemed a  
 Public Act.

And be it Enacted, That this Act may be amended or repealed  
 15 by any Act to be passed in this present Session of Parliament.

19.  
 Act may be  
 altered.